



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Detlef P. Muller-Schulte
Serial No: 10/516,629 / Conf. No. 4567
Filed: December 1, 2004
Title: THERMOSENSITIVE POLYMER CARRIER WITH CHANGEABLE PHYSICAL STRUCTURE FOR BIOCHEMICAL ANALYSIS, DIAGNOSTICS AND THERAPY
Examiner / Group Art Unit: ___ / Art Unit 1616
Attorney File: RO0940US (#90568)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-4150

SUBMISSION OF DECLARATION WITH POWER OF ATTORNEY

Sir:

Enclosed is the "Combined Declaration and Power of Attorney" executed by the inventor on November 20, 2004. Such document is being submitted for entry of the Power of Attorney and correspondence address on the records of the USPTO. Additionally, the "Notice of Acceptance of Application Under 35 U.S.C. and 37 C.F.R. 1.495" mailed 05/06/2005 acknowledges receipt of the "Oath or Declaration filed on 12/01/2004."

Respectfully submitted,

By: _____

D. Peter Hochberg
Reg. No. 24,603

DPH/SM/ck
Enc.

D. Peter Hochberg Co., L.P.A.
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Certificate of Mailing

I hereby certify that this document, and anything indicated as being attached or enclosed, is being deposited with the United States Postal Service as First Class mail in an envelope addressed: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date noted below:

Christine Kotran
Date: 5 / 24 / 2005

COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,
DIVISIONAL, CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type: (check one applicable item below)

() original
() design

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check any of next two items and check appropriate one of last three items.

() national stage of PCT
() supplemental

NOTE: If one of the following 3 items apply then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP.

() divisional
() continuation
() continuation-in-part (CIP)

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

**THERMOSENSITIVE POLYMER CARRIERS HAVING A MODIFIABLE PHYSICAL
STRUCTURE FOR BIOCHEMICAL ANALYSIS, DIAGNOSIS, AND THERAPY**

SPECIFICATION IDENTIFICATION

the specification of which: (complete (a), (b), or (c))

(a) () is attached hereto.

(b) was filed on as Serial No. _____ or
 Express Mail No. _____, as Serial No. not yet known
and was amended on _____ (if applicable).

(c) was described and claimed in PCT International Application
No. **PCT/EP03/05614** filed on **May 28, 2003**
and as amendment under PCT Article 19 on _____ (if any).

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations. Sec. 1.56(a).

In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.97.

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

(d) no such applications have been filed.
(e) such applications have been filed as follows

NOTE: Where item (c) is entered above and the International Application which designated the U.S. claimed priority check item (e), enter the details below and make the priority claim.

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

COUNTRY	APPLICATION NO.	DATE OF FILING (month,day,year)	PRIORITY CLAIMED <u>UNDER 37 USC 119</u>
			(<input type="checkbox"/>) YES NO (<input type="checkbox"/>)
			(<input type="checkbox"/>) YES NO (<input type="checkbox"/>)
			(<input type="checkbox"/>) YES NO (<input type="checkbox"/>)

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Germany Application No. 102 24 352.2 filed June 1st, 2002
PCT Application No. PCT/EP 03/05614 filed May 28th, 2003

POWER OF ATTORNEY

As a named inventor, I hereby appoint D. Peter Hochberg, Reg. No. 24,603, Sean Mellino, Reg. No. 48,817, Katherine R. Vieyra, Reg. No. 47,155, and James A. Rich, Reg. No. 25,519, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO:

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1940 East 6th Street
Cleveland, Ohio 44114-2294

DIRECT TELEPHONE CALLS TO:
(Name and telephone number)

D. Peter Hochberg
(216) 771-3800

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Full name of first inventor: Dr. Detlef Müller-Schulte

Inventor's signature:



Date: 20-11-2004

Country of Citizenship: German

Residence: Martelenberger Weg 8, 52066 Aachen, Germany
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CHECK PROPER BOX(ES) IF ANY OF THE FOLLOWING ADDED PAGE(S)
FORM A PART OF THIS DECLARATION

() Signature for third and subsequent joint inventors. Number of pages added _____.

() Signature by administrator(trix), executor(trix) or legal representative of deceased or incapacitated inventor. Number of pages added _____.

() Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added _____.

() Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (CIP) application.

() Number of pages added _____.

If no further pages form a part of this Declaration then end this Declaration with this page and check the following item.

(X) This declaration ends with this page.